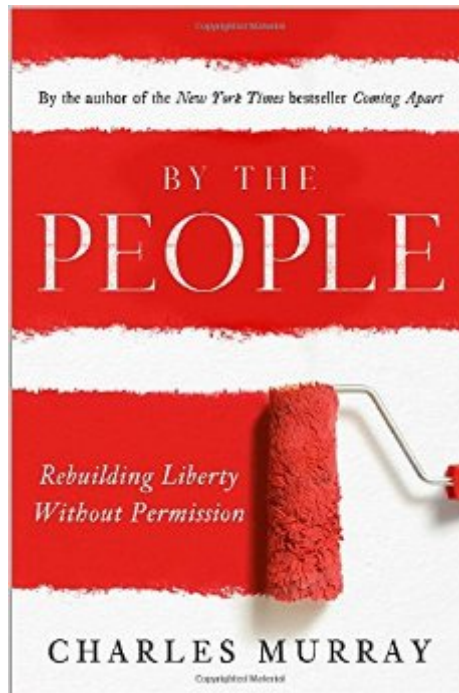


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By The People: Rebuilding Liberty Without Permission



Synopsis

The American way of life, built on individual liberty and limited government, is on life support. American freedom is being gutted. Whether we are trying to run a business, practice a vocation, raise our families, cooperate with our neighbors, or follow our religious beliefs, we run afoul of the governmentânot because we are doing anything wrong but because the government has decided it knows better. When we object, that government can and does tell us, âTry to fight this, and weâll ruin you.â In this provocative book, acclaimed social scientist and bestselling author Charles Murray shows us why we can no longer hope to roll back the power of the federal government through the normal political process. The Constitution is broken in ways that cannot be fixed even by a sympathetic Supreme Court. Our legal system is increasingly lawless, unmoored from traditional ideas of âthe rule of law.â The legislative process has become systemically corrupt no matter which party is in control. But thereâs good news beyond the Beltway. Technology is siphoning power from sclerotic government agencies and putting it in the hands of individuals and communities. The rediversification of American culture is making local freedom attractive to liberals as well as conservatives. People across the political spectrum are increasingly alienated from a regulatory state that nakedly serves its own interests rather than those of ordinary Americans. The even better news is that federal government has a fatal weakness: It can get away with its thousands of laws and regulations only if the overwhelming majority of Americans voluntarily comply with them. Murray describes how civil disobedience backstopped by legal defense funds can make large portions of the 180,000-page Federal Code of Regulations unenforceable, through a targeted program that identifies regulations that arbitrarily and capriciously tell us what to do. Americans have it within their power to make the federal government an insurable hazard like hurricanes and floods, leaving us once again free to live our lives as we see fit. By the Peopleâs hopeful message is that rebuilding our traditional freedoms does not require electing a right-thinking Congress or president, nor does it require five right-thinking justices on the Supreme Court. It can be done by we the people, using Americaâs unique civil society to put government back in its proper box. From the Hardcover edition.

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Customer Reviews

By the People is Charles Murray's answer to what to do about a regulatory state metastasized and gone mad (if you disagree about that it's probably best to start elsewhere). And what he recommends is not to act through the traditional democratic channels, but to instead engage in what he calls "systematic civil disobedience." It meets the dictionary definition, but it is not civil disobedience as we generally think of it, nor is it necessarily that different than some of the pushback against the State already going on, albeit on a larger scale. We'll get to that. Murray divides By the People into three parts. Part I covers how we got to where we are at the end of the American project as the founders intended it and why the normal political process will not rescue us. Part II outlines the particular sort of civil disobedience that Murray recommends. Part III takes a look at the various reasons, e.g., demographic, cultural, why Murray thinks now is an especially apt time for change. He sees a broad market for what he's selling and uses the term "Madisonian" throughout to refer to classical liberals, libertarians, and conservatives (and presumably conservatarians) who generally agree that government should be limited. And he is preaching to the choir; this is a call to action, not a call for conversion. Part I breaks down the problem into discrete areas, first describing what went wrong and then making the case as to why it can't be fixed through the normal democratic process. For example, the chapter titled "A Broken Constitution" starts with a short history of the New Deal Court's abandonment of a federal government limited to its enumerated powers. It ends by arguing that reversing the key decisions just discussed will never happen.

BY THE PEOPLE was a big surprise to me. Dr. Murray presents two major themes in this book: First, "We are at the end of the American project as the founders intended it." Secondly,

"Opportunities are opening for preserving the best qualities of the American project in a new incarnation." The author clarifies that "American project" refers to our country's experiment with minimal government interference. Dr. Murray makes it clear that the book is based on the assumption that limited government is best. Dr. Murray explains that he struggled to find a term to describe people who agree with limited government. At first he thought of using the term "Jeffersonian," but then he settled on the term "Madisonian" instead. His reasoning is that it was Madison, "more than any other individual, midwifed the Constitution and the Bill of Rights. It was his Constitution that preserved limited government for the first century and a half of America's existence." The first part of *BY THE PEOPLE* describes how America got into the big government situation. Big changes began around the time of the Great Depression because "Americans, suffering from the Great Depression, weren't interested in constitutional limits on what the federal government could do." A critical event that drastically changed the limitation on the federal government was the 1937 Supreme Court decision ruling on the legality of Social Security (*Helvering vs Davis*.) This decision opened the path to more intrusive federal regulation. Some of the founding fathers worried about the phrase in the Constitution, "General Welfare." in article 1 section 8, the Constitution says that Congress has the power to provide for "general welfare of the United States.

Is it just me, or is Charles Murray getting angrier and more frustrated as he gets older? Murray's new book, *By the People: Rebuilding Liberty Without Permission* reveals Murray at the end of his rope. This stuff he's been writing about for decades--limiting government, declining societal norms, the welfare class, racial divides--is coming to a head. In *By the People*, he addresses the out-of-control federal bureaucratic state, offering solutions but with reservations about success. The U.S. federal government has grown beyond anything the founders would ever recognize. "Under Republicans and Democrats alike, the federal government went from nearly invisible in the daily life of ordinary Americans in the 1950s to an omnipresent backdrop today." He paints a bleak picture of the administrative state, and finds that "solutions are beyond the reach of the electoral process and legislative process." In the first several chapters, Murray describes how we got here, a nation of rules, whose rule makers are unaccountable and who frequently impose "arbitrary or capricious" rulings. He compares our system of rules to a Third World kleptocracy, where lobbyists have pay the bribes and legislators shake down donors. It leads to effectual lawlessness and inevitable corruption. Given the corruption of the legislative process, what does that leave? The judicial process, of course. The most substantial section of *By the People* has Murray calling for civil

disobedience, in which people refuse to follow certain types of regulations. He primarily has in mind businesses whose operation is constrained by those "arbitrary and capricious" rules.

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